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IN THE

SUPREME COURT OF THE UNITED STATES

****

FRANCES R. CURRY, PETITIONER,

-VS-

STATE BAR OF WISCONSIN:

VICTOR A. MILLER, JAMES J. WILLIAMSON, JAMES H. PLIER, LEONARD V. BRADY, WERNER J. SCHAEFFER, ROBERT P. HARLAND, MARJORIE KINNEY, MARY BOWMAN, AND COURTLAND A. SPERGER, SR., INDIVIDUALLY AND AS THE BOARD OF ATTORNEYS PROFESSIONAL RESPONSIBILITY OF THE STATE BAR OF WISCONSIN,

RESPONDENTS,

****

PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

****

Frances R. Curry

FRANCES R. CURRY
918-A WEST NASH STREET
MILWAUKEE, WISCONSIN 53206
PHONE (414) 372-8372

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1982

CASE NO_____

****

FRANCES R. CURRY, PETITIONER,

-V-

STATE BAR OF WISCONSIN:
VICTOR A. MILLER, JAMES J. WILLIAMSON, JAMES H. PLIER, WERNER J. SCHAEFFER, LEONARD V. BRADY, ROBERT P. HARLAND, MARJORIE KINNEY, MARY BOWMAN, AND COURTLAND A. SPERGER, SR., INDIVIDUALLY AND AS THE STATE BAR OF WISCONSIN, RESPONDENTS,

****

PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT Frances R Curry

****

To the Honorable, Chief Justice and the Associate Justices of The Supreme Court OF THE UNITED SATAES. Frances R. Curry the petitioner herein, pray that a writ of certiorari ISSUE to review the judgment and final opinin of The U.S. Court Of Appeals For The Seventh Circuit of Illinois in the the above entitled case of May 24, 1982.

QUESTIONS PRESENTED

1. Why wasn't petitioner given a hearing? Wasn't petitioner entitled to a fair trial on the legal issues involved?
2. How could anyone be so cruel? Are we in RUSSIA? Why did petitioner have to send in fifteen "NEW BRIEFS", WHEN THE respondents didnot send in one brief?
I am presented as a CROOK?
3. Didn't this court out outlaw these kind of SCHEMES?
Wasn't we used as pawns? Did those lower courts intend to give petitioner a fair trial? OR HEARING? WHY NOT?
4. Aren't the lower courts aiding and abetting respondents in their CRIMINAL ACTIVITY? Aren't they bound by the federal laws to pay federal taxes on the stolen millions of dollars they stole from petitioner and her family? Should petitioner be responsible to the U.S. INTELLIGENCE DIV., FOR THESE PEOPLES CRIMES?
5. Why did the courts violate their own rules? Don't those rules apply to them as well as to petitioner?
How can anyone give judgment to respondents when, in reality, respondents did not file one piece of evidence those courts?

(continued from page 2)

Did the lower courts deny petitioner her civil rights? Why wasn't petitioner given a hearing? Are the courts in COLLUSION WITH RESPONDENTS? DIDN'T THEY VIOLATE THE ANTI-CRIME RACKETEERING LAWS? WHY DIDN'T THE COURTS OBEY THE RULES?

TABLE OF CONTENTS

INTRODUCTION.....1

QUESTIONS PRESENTED.....2-3

TABLE OF AUTHORITIES.....4-5

OPINIONS BELOW.....6-7

JURISDICTION.....8-10.

CONSTITUTIONAL PROVISIONS AND STATUTES INVOLVED.....10-11

A.....STATEMENT OF THE CASE-12-14

A.....STATEMENT OF THE FACTS..15

REASONS FOR GRANTING THIS WRIT.....16-18

CONCLUSION..... 19-20

TABLE OF AUTHORITIES

CAMBELL V. GADSDEN COUNTY DIST. SCHOOL BD. (U.S. CT. OF APPEALS, FLA., (1976)....650

HACKETT V. PRES. OF CITY COUNCIL OF PA., U.S. CT. OF APPEALS, 3RD CIR., D.C. (1969) F. SUPP. 410, F. 2D.....761

HANRAHAN V. HAMPTON, 100 U.S. SUPREME CT. (1987), 64, L. 2D.....214

KOELFGEN V. JACKSON, D.C. (1972), MINN. 355, F. SUPP. 243, AFFIRMED, 93, U.S. S. Court, 1502, 410, U.S. (1976) L. Sd...173

LYNCH V. HOUSEHOLD FINANCE CORP., CONN., (1972), U.S. S. CT., 113, 405, 538, 31, L. ED., 2D.....424

MESCAL V. SHAPIRO, U.S. COURT OF APPEALS 2D. CIR. OF CONN., C. A. (1969) 416, F. SUPP.....246

MESCAL V. BURRUS, U.S. CT. OF APPEALS FOR THE SEVENTH CIRCUIT OF ILLINOIS, (1979), 603, F. 2D.....1266

UNITED STATES V. EISENBERG 98, U.S. S. CT., 2850, 436, U.S. 946, 66, L. ED. (1977), 788

WISCONSIN STATUTES

SECTION 757.29 (1) The attorney is required on being admitted to practice to take an oath by which, among other things, he promises not to delay any person's cause for lucre or malice.

(continued from page 6)

He may be disciplined for the oath. He is required to represent his clients competely and he may not neglect a legal matter entrusted to him. CANON SIX (6) OF THE ATTORNEYS CODE OF PROFESSIONAL RESPONS BILITY.

CONSTITUTIONAL PROVISIONS:
U.S. C. FOURTH. THIRTEENTH. AND FOURTEENTH AMENDMENTS TO THE U.S.C.

WISCONSIN CONSTITUTION: ARTICLE I. SEC. I
WISCONSIN STATUTES:
QUALIFICATIONS OF A JUDGE (1977). ATTORNEYS NOT TO HAVE OFFICE WITH JUDGE. (1977).
MISCELLANEOUS:
ANTHONY G. AMSTERDAM: PERSPECTIVES ON THE FOURTH AMENDMENT. 50 MINN. L. REV. 349. 383-85-88, 393-94, (1974).

OPINIONS BELOW

The original opinion of the U.S. Supreme denied petitioners to file in forma pauperis is reported as FRANCES R. CURRY, ET AL., V. SATE BAR OF WIS., ET &L., 80-6577 (Washington, 1981).

The original order of U.S. Dist. Court For The Eastern Dist. Of Wisconsin dismissed petitioners complaint is reported as FRANCES R. CURRY, ET AL., V. STATE BAR OF WIS., ET AL., 80-C-802 (Wis. 1981).

Original Judgment of the U.S.Dist. Court and costs is reported as Frances R. Curry, et al., V. State Bar Of Wis.,et al., 81-C-802 (Wis. 1981).

The Original Opinion of the U.S. Court Of Appeals For the 7th Cir., Denied petitioners motion not to strike is reported as Frances R. Curry, et al., V. State Bar Of Wis.,et al., 81-2748 (Ill. 1981).

The original opinion of the U.S.Court of Appeals ordered petitiones to file fitteen (15) NEW BRIEFS is reported as Frances R. Curry, et al., V. State Bar Of Wis., et al, 81-2748 (Illinois, 1981).

(opinions below continued)

The original opinion of the U.S Court of appeals For the Seventh Cir., ORDERED respondents to "SHOW CAUSE" Is reported as Frances R. Curry, et al., V. State Bar of Wis. et al., 81-2748 (Illinois 1982)

The original opinion of the U.S. Court of Appeals for the Seventh Cir., dismissed petitioners complaint is reported as Frances R. Curry, et al., V. State Bar of Wis., et al., 81-2743 (Illinois, 1982).

The original opinion of the U.S. Court of Appeals For the Seventh Cir., stating that defendants didnot file a bill of costs, is is reported as Frances R. Curry, et al. V. State Bar Of Wis. et al., 81-2748 (Ill. 1982).

JURISDICTION

Petitioner is seeking redress in this court to set aside the order and judgment of the U.S. Court Of Appeals For The Seventh Cir. Of Illinois, that was entered May 24, 1982.

Petitioner did not receive a hearing or a trial on the issues involved in the complaint.

The Jurisdiction of this Court is invoked under 28 U.S.C. Sec. 1257 (3), conferring upon this court the power to REVIEW the final judgment and opinion of the lower courts.

The lower courts have abused their discretion, U.S. V. CORRICK, 208. U.S. 435. (1936). MAYO V. LAKELAND HIGHLANDS CANNING CO., 309. U.S. (1940). ARISTOCRAT HEALTH CLUB OF HARTFORD, INC., V. CHAUNCER, D.C. Conn., (1978). 451. F. SUPP. 210. original Jurisdiction:

UNDER ARTICLE III, SECTION II OF THE U.S. CONSTITUTION, THE UNITED STATES SUPREME COURT HAS ORIGINAL JURISDICTION IN ALL CASES AFFECTING AMBASSADORS, OTHER PUBLIC MINISTERS AND

To-wit: Appeal, (where jurisdiction is mandatory) and certiorari (where it is within the court's discretion). Review of State court judgments under 28 U.S. C.Sec. 1257: A party may file a petition for certiorari if the State court has upheld a federal statute or Treaty, held a state statute unconstitutional or contrary to federal statutes or treaty or decided any claim asserted under the U.S. C., federal statutes or treaty.

As to judical review, MARTIN V. HUNTERS LESSEE (1816). 14 U.S. (1 wheat) 304. established the power to review STATE Court decisions to find state action unconstitutional, HENRY V. MISS.. (1965), 379. U.S. 443.

STATUTES INVOLVED

WISCONSIN CONSTITUTION: ARTICLE I. SEC.I. RIGHTS AND GOVERNED:

"Equality inherent rights, all men are born equally, free and independent, and certain inherent rights; among these are life, liberty and pursuit of happiness: To secure these rights governments are instituted among men deriving their just power from the governed .FOURTH AMENDMENT TO U.S.C.

(continued from page 9)

and under such regulations as the congress shall make. Congress has provided two (2) methods for invoking Supreme Court appellate jurisdiction. (where it is within the Court's discretion). Review of State State Court judgments under 28 U.S.C. SEC. 1257:

To-Wit: Appeal, (where jurisdiction is mandatory) and Certiorari (where it is within the court's discretion).

A party may file a petition for certiorari if the State Court has upheld a federal statute or treaty or decided any claim asserted under the U.S.C. , Federal statues or treaty.

As to judical review, MARTIN V. HUNTER'S LESSEE (1816), 14 U.S. (wheat) 304, established the power to review State Court decisions to find STATE ACTION UNCONSTITUTIONAL. HENRY V. MISSISSIPPI. (1965). 375 U.S. , 445.

STATUTORY AND OTHER PROVISIONS INVOLVED

WISCONSIN CONSTITUTION. ART.. I. SEC. I RIGHTS AND GOVERNED:

"Equality inherent rights, all menare born equally, free and indepeneant, and certain inherent rights; among these are life,

(continued from page 10)

Liberty, and pursuit of Happiness: To secure these rights are instituted among men deriving their just power from the governed."

FOURTH AMENDMENT, U.S. CONSTITUTION:

"The right of the people to be secure in their persons, houses, papers, and effects shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath of affirmation, and particularly describing the place to be searched."

FOURTEENTH AMENDMENT, U.S. CONSTITUTION:

Sec. I, all persons born or naturalized in the U.S. and subject to the jurisdiction thereof, are citizens of the U.S. and of the State wherein they reside. NO STATE Shall make or enforce any law which shall abridge the priveleges or immunities of citizens of the United States nor shall ANY STATE DEPRIVE ANY PERSON OF LIFE, OR PROSPERITY WITHOUT DUE PROCESS OF LAW; nor any person within its jurisdiction THE EQUAL PROTECTION OF THE LAWS.

STATEMENT OF THE CASE

Frances R. Curry, totally and permanently disabled as a direct result of an automobile accident. One accident petitioner suffered permanently injuries. Petitioners filed two grievances with respondents.

Neither one of those were ever investigated by respondents. One grievance was filed with Victor A. Miller, January 14, 1980. I was promised that my grievances would be processed. These respondents never considered the rules of the Wis. Supreme Court. See exhibit 34-39, petitioners brief.

Petitioner was not given a chance at the so called hearings to defend herself. I was denied my due process of law. Petitioner began legal action in U.S. Dist. Court to make known to these respondents that my civil and personal liberties had been taken from me, illegally. Petitioner is seeking damages under 42 U.S.C. 1983. 28 U.S.C. .343 (3) U.S. 1332 (a) DUE PROCESS OF LAW: HENRY V. MISS. (1965). 379. U.S. 443. FOURTH. THIRTEENTH AND FOURTEENTH AMENDMENTS TO THE U.S.C.

SECTION I, SAYS:

(continued from page 11)

"All persons born or naturalized in the U. S. and subject to the jurisdiction thereof, are citizens of the U.S. and of the state wherein they reside. No state shall make or enforce any law which shall abridge the priveleges or immunities of citizens of the U.S; nor shall any state DEPRIVE any person of life, liberty or property, WITHOUT DUE PROCESS OF LAW".

Respondents only OFFERED AND FILED MOTIONS. THEY HAVEN'T INTRODUCED ANY REAL EVIDENCE TO RECEIVE JUDGMENTS. The lower courts just favored respondents and violated our rights.

Petitioners can collect damages under CIVIL RIGHTS LAWS: CAREY VS. PIPKIN, L.W. 4224 (March 21, 1978).

MORALES VS. HAINES, 486, L. 2D. 880-882, SEVENTH CIR. 1973, PAGE 12, (1983-ACTION). The lower courts seemed to think we could have filed a lawsuit againt our first attorneys after the statutes of limitations had expired. Petitioners has been deprived of all of their rights.

CONDUCT OF RESPONDENTS

These are some of the laws that govern the conduct of respondents given by the Wis. Supreme Court of Wisconsin exhibit 12-21 in our BRIEF. Respondents doesn't believe they have to obey the laws .

Grievance Means: ALLEGED PROFESSIONAL MISCONDUCT OF AN ATTORNEY". Petitioners could have sued respondents under the 1871 LAWS AS AMENDED BY THIS COURT. This court stated in June, 1981, that a Citizen doesn"t have to wait until the state acts on their complaints before a citizen can file a law suit in federal court if he feels his right has been infringed upon.

WHAT A GREAT VICTORY . WE WILL GIVE THIS A GREATER LOOK. WE THANK THIS COURT FOR THIS OPPORTUNITY TO PRESENT OUR COMPLAINT, THE BEST WE KNOW HOW. THANK YOU.

Respectfully Submitted,

Frances R. Terry

B. STATEMENT OF THE FACTS

The facts as found by the United States Court of Appeals For The Seventh Circuit (81-2748) are as Follows:

It appears to the Court that the appellant's brief was filed on January 18, 1982, and that the appellee's has (have) failed to file a brief. No motion has been made pursuant to Circuit Rule(a).

IT IS ORDERED that the appellee(s) respond within fourteen (14) days of the date of this order as to why this appeal should not be submitted to the Court for decision without the filing of a brief by the appellee(s), and without oral argument by the appellee's, pursuant to Circuit Rule 8(C).

REASONS FOR GRANTING THIS WRIT

The U.S.C., as well as the Wisconsin constitution has been aware of the rights its citizens through the fourth, thirteenth and fourteenth Amendments To The U.S.C.

These respondents don't see the laws as a protection for petitioners. The fourth amendment adheres to DUE PROCESSES. Petitioners were given the order to file new briefs because the Appeals Court claimed we had libeled respondents.

That's not true. The lower courts still decideded petitioners were wrong even after we filed fifteen new briefs. The court stated that respondents had violated the law, a letter came from the court accusing us more violations of federal rules.

Petitioners were never given a hearing and we are bound by court order to pay the respondents legal fees. What legal fees? THEY ONLY FILED MOTIONS IN COURT". OUR CASES ARE WORTH MORE THAN THREE MILLION DOLLARS. THEY CLAIMED THIS COURT STATED OUR CLAIMS DIDNOT NO MERITS. THIS COURT ONLY DENIED US TO FILE UNDER FORMA PAUPERIS. The respondents must think this court is suppose to be all mixed up like them. NOT SO.

The respondents never did file any briefs as ordered by the lower court. Respondents were ordered to file briefs before January

KATZ V. U.S., (1967), 389, U.S. 347, 88 U.S. SUPREME COURT, 507, 19, L. ED.2D. 576. PEOPLE V. TRIGGS, 506, P. 2D. 232, (U.S. Ct. OF CALIF. 1973). KROEHLER V. SCOTT, 391, F. SUPP. 1114, U.S. DIST. CT., E.D. PENN., 1975 STATE EX. REL MEMMEL V. MUNDY, (1977), 249, N.W. 2D. 75, WIS., (1970), 318, F. SUPP. 591 CANNON V.UUNIVERSITY OF CHICAGO, 559, F. 2D 948. HOLIDAY V. ROBERTS, D.C. MISS. (1977) TITLE 42, 425, SUPP, 61, 28 U.S.C. 1915 (2) Dist. Courts shall have original jurisdictionof any action authorized by law to be commenced by any person,(3) To REDRESS the deprivation, under color of any state law, statute, ordinance, regulation, custom, or usage or any act of Congress providing for equal rights of citizens or of all persons within the jurisdiction of the U.S. 42 U.S. C. Every person who, under color of any statute, ordinance, regulation, custom, or any Territory, subjects, or cause to be subjected,any citizen of the U.S. or other person within the jurisdiction thereof to the deprivation of any rights, priveleges,or immunities secured by the Constitution and laws, shall be liable to the injured party in an action at law, suit, or equity, or other proper proceedings."

for redress. 28 U.S.C. 1332 (a), (3). Respondents and others have violated our civil rights repeatedly. Respondents dnn't realize they are bound by these laws:

" MISCONDUCT IS CONDUCT THAT VIOLATES;(a) A STATUTE, COURT RULE, OR Court order regulating the conduct of attorneys and a statute. Section 256.29. (2) Stat. (c). Attorneys oath. (d). The code of professional Responsibility as adopted by the Wis. Supreme Ct., (e) MATTER OF EISENBERG 1977 269, N.W. 2D. 745, 81, Wis. 2D. 175 Certirari denied. 98 U.S. Supreme Court, 2850 , 436, U.S. 946, 66 L.Ed. Disciplinary Action by state bar for false swearing, false income tax return.

The statutes of limitations have expired for petitioners to bring any action against our first lawyer. That was respondents job. Those federal judges knew that. It would be a federal crime for us to be of any help to these respondents. The ANTI-RACKETEERING LAWS AS AMENDED BY THIS COURT WOULD SEND ME TO PRISON. JUST LIKE IT IS GOING TO DO THESE RESPONDENTS. This Court OUT LAWED THESE SCHEMES LIKE THIS.

Petitioners were bound by federal laws to let them know of the stolen money by our former attorney and respondents.

CONCLUSION

The findings of the lower courts are without any merits, according to the evidence presented to this court. My legal rights are not even considered in the decisions of the lower courts. This court will notice that, the respondents didnot file for court costs and legal fees.

The scheme that was used by these respondents and the lower courts are disgraceful to say the least. The schemes have been outlawed by this court, ANTI-RACKETEERING ACT.

The respondents violated the laws, and the courts did not consider the errors.

There is no way any attorney will ever get involved in all those schemes. The Statutes of limitations had expired for us to hire attorneys.

We are citizens of this great country, and no one is going to take our rights from us without a FIGHT. Petitioner asks this court to set aside the lower courts decisions and give judgment to petitioner. My rights are protected under U.S.C., Fourth, thirteenth, and Fourteenth amendments to the U.S.C.

Dated this____day at Milwaukee, Wis. September, 1982.

(continued from page 19)

Respectfully Submitted,

Frances R. Curry

FRANCES R. CURRY, PETITIONER,

918-A WEST NASH STREET

MILWAUKEE, WISCONSIN 53206

PHONE (414) 372-8372

CERTIFICATE OF SERVICE

I, HEREBY CERTIFY that I have furnished the requisite number of copies of the foregoing petition For Writ Of Certiorari To The United States Court Of Appeals For The Seventh Circuit to Leroy L. Dalton, Assistant Attorney Gen. Wisconsin Department Of Justice, P.O. Box 7857, Madison, Wisconsin 53707, by first Class Mail, this 10th day of September, 1982.

Frances R. Curry

FRANCES R. CURRY, PETITIONER